

**SEPTEMBER 8, 2009 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER, 101 C STREET,
WHEATLAND, CA
6:00 – 7:35 p.m.**

COUNCIL MEMBERS PRESENT: Coe, Elphick, McIntosh, Pendergraph, West

OTHER OFFICIALS PRESENT: S. Wright, City Manager
R. Shanahan, City Attorney
T. Raney, Community Development Director
R. Miller, Administrative Services Director
R. Verburg, Fire Chief

PLEDGE OF ALLEGIANCE:

Council member J. Pendergraph led the pledge of allegiance.

PUBLIC COMMENT

June Swift commented that arrows had been found in her backyard.
Anita Mundt commented of the Bill's Place event and support of youth in the community.
Linda Sohrakoff commented on stop signs and crosswalks on McDevitt Drive.
Johnna Bartholomew commented on the visibility of the stop sign on McDevitt Drive.

CONSENT CALENDAR

It was moved by Council member J. Pendergraph, seconded by R. West to approve **Minutes of the regular City Council meeting held on August 11, 2009 and Resolution No. 17-09 Declaring Specified City Vehicles to be Surplus and Authorizing the City Manager to Have The Vehicles Sold at Public Auction.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) T. Raney presented discussion of the second reading of the Nuisance Abatement Ordinance. It was moved by Council member R. West, seconded by J. Pendergraph to approve **Ordinance No. 414 Amending the Nuisance Abatement Standards and Proceedings.** Vote called – AYES: All. Motion carried.

2) T. Raney presented discussion of consideration of the Administrative Citation Timeline. Raney explained that at the August 18th City Council meeting, the council waived the first reading to adopt the Administrative Citation Ordinance which was developed through a series of workshops with the Nuisance Abatement Subcommittee. During the council meeting, several questions were raised concerning the implementation, processing, and timeline of the fines indentified in the ordinance. Staff prepared the Administrative Citation Timeline in order to clarify the process. This timeline is intended to function as an implementing companion document to the Administrative Citation Ordinance. The timeline will provide clear direction to both City staff and citizens about responsible parties, applicable fines, and timing elements for enforcement of the ordinance.

3) It was moved by Council member J. Pendergraph, seconded by D. Coe to approve **Ordinance No. 415 Establishing Administrative Citation Code Enforcement Program**. Vote called – AYES: All. Motion carried.

4) It was moved by Council member J. Pendergraph, seconded by R. West to approve **Resolution No. 18-09 Establishing a Schedule of Fines Relating to Administrative Citations for Municipal Code Violations**.

5) R. Miller presented discussion of the Ordinance related to purchasing system rules and procedures which would amend Chapter 3.04 of the Wheatland Municipal Code. Miller explained the amendment would authorize the City Manager as the Purchasing Officer for the City to make purchases of supplies and equipment as specified in the Code up to a value of \$25,000 per purchase without having to go through the formal bidding process. The current limit is \$5,000 per purchase. All purchases made under this provision must have been approved in the budget or there must be unappropriated funds available in the budget. If appropriated funds are not available, then the purchase must have prior Council approval. It was moved by Council member J. Pendergraph, seconded by D. Coe to **introduce and waive the first reading of Ordinance No. 416 Amending Purchasing System Rules and Procedures**. Vote called – AYES: All. Motion carried.

PUBLIC HEARING

**J. Pendergraph excused himself from the meeting due to a conflict of interest stating he serves as a RWMA board member from a different agency.*

1) Regional Waste Management Authority Administrator, Keith Martin, presented discussion of the Solid Waste Rate Adjustment for 2009. Martin explained that each year pursuant to the existing franchise agreement for solid waste collection and disposal, consideration is given to a rate adjustment. The City is a member of the Yuba Sutter Waste Management Authority and through their staff and consultant work the staff report and evaluation report have been prepared analyzing the various factors that need to be considered related to a rate adjustment. These reports were submitted to the RWMA administrators (City Managers and County Administrators) who recommended approval of the adjustment. The matter then went to the RWMA Board (McIntosh/Coe serve from Wheatland) who subsequently also recommended approval. The issue now goes to each governing body of the RWMA for consideration. There are no recommended adjustments to refuse collection rates this year. Issue related to the rate stabilization fund, diesel fuel prices, vehicle retrofit plan and diversion performance standards area outlined in the staff and evaluation reports. It was moved by Council member D. Coe, seconded by R. West to **approve amendment to the City Solid Waste Franchise Agreement**. Vote called – AYES: Coe, West, Elphick, and McIntosh. Absent: Pendergraph. Motion carried.

2) S. Wright presented discussion of the FOG (Fats, Oils and Grease) Ordinance. Wright explained that the State Water Resources Control Board Order NO. 2006-0003-DWQ mandates statewide general waster discharge requirements for sanitary sewer systems to follow. This mandate includes a provision that local agencies adopt an ordinance implementing these requirements. The regulations primarily relate to commercial food service establishments (FSE). The ordinance requires pretreatment and grease traps, record keeping, permits, fee for annual inspections and enforcement provisions. The mandated due date for cities with a population served over 2,500 is November 2, 2009. The ordinance has been modeled after surrounding larger agencies that had earlier mandate dates and has been reviewed by the Public Works Director, City Engineer and City Attorney. It was moved by Council member J. Pendergraph, seconded by D. Coe to **introduce and waive the first reading of Ordinance No. 417 Adding Chapter 13.22 to the Wheatland Municipal Code Regarding Discharges of Fats, Oils and Grease to the Sewer System**. Vote called – AYES: All. Motion carried.

REPORTS

- 1) D. Coe reported on the BiCounty Transportation meeting with an update of the Fifth Street bridge project. The will be Regional Transportation Impact Fee discussed at the next meeting.
- 2) J. Pendergraph reported on the FRAQMD meeting and burning rice fields.
- 3) E. Elphick reported that the sphere for the Olive Public Utilities District and annexation of the Bear River Development to the Plumas Lake area. A letter has been sent to the Yuba County Board of Supervisors related to the Yuba County General Plan.

CLOSED SESSION

None.

ADJOURN

There being no further business, Mayor Elphick adjourned the meeting at 7:35 p.m.

Minutes approve and adopted this 22nd day of September, 2009.

Enita Elphick, *Mayor*

Lisa J. Thomason
City Clerk